

***REMARKS***

Claims 2-33 are pending in the application and are presented for reconsideration.

Claims 2-33 were rejected under the judicially created doctrine of obviousness-type double-patenting. In response to this rejection, and without prejudice to any right of applicants to traverse such rejection or the basis therefore in this or any related case, applicants submit herewith a terminal disclaimer. As set forth at MPEP 804.02 II, "A rejection based on a nonstatutory type of double patenting can be avoided by filing a terminal disclaimer in the application of proceeding in which the rejection is made." (citing authority) As further set forth at MPEP 804.02 II, "The filing of a terminal disclaimer to obviate a rejection based on nonstatutory double patenting is not an admission of the propriety of the rejection." (citing *Quad Environmental Technologies Corp. v. Union Sanitary District*, 946 F.2d 870, 20 USPQ 2d 1392 (Fed. Cir. 1991))

Applicants thank the Examiner for bringing to light the cited references. Applicants have considered these references. In order to avoid paying multiple terminal disclaimer fees, Applicants have filed a single terminal disclaimer, in accordance with MPEP 804.02 IV, wherein all the conflicting double patenting references have been disclaimed.

All of the rejections made in the pending office action have been addressed herein. Accordingly, applicants respectfully submit that all of the claims presently in this case are now in a form for allowance.

*Conclusion*

Applicants believe that all of the stated grounds rejection set forth by the Examiner in the Office Action have been properly accommodated or addressed. Applicants, therefore, respectfully request that the Examiner reconsider all presently outstanding rejections and withdraw them. The Examiner is invited to telephone the undersigned representative if it is felt that an interview might be useful for any reason.

Respectfully submitted  
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By: 

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